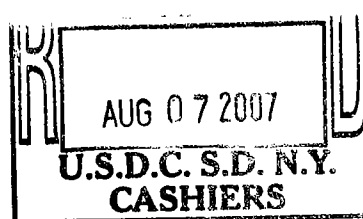


SCHINDLER COHEN & HOCHMAN LLP  
Jonathan L. Hochman (JH 7072)  
Matthew A. Katz (MK 4252)  
100 Wall Street, 15th Floor  
New York, New York 10005  
*Attorneys for Fiduciary Asset Management, L.L.C.*



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
JEFFREY O. SWOPE,

Plaintiff,

vs.

FIDUCIARY ASSET MANAGEMENT, L.L.C.,

Defendant.  
----- X

Case No. 07-CV-6921 (BSJ)

**AFFIDAVIT OF SERVICE**

(ECF Case)

State of New York     )  
                              )     ss.:  
County of New York    )

Joannah M. Caneda, being duly sworn, deposes and says:

1. I am over 18 years of age and am not a party to this action.
2. On Wednesday, August 1, 2007, I served true and accurate copies of (i)

*Defendant's Notice Of Removal* including exhibits appended thereto, and the (ii) *Rule 7.1*

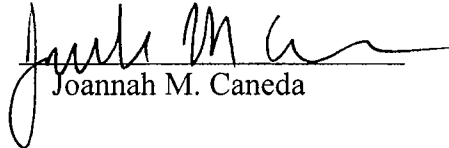
*Disclosure Statement Of Fiduciary Asset Management, L.L.C.* upon:

Todd A. Higgins, Esq.  
Crosby & Higgins LLP  
500 Fifth Avenue, Suite 1410  
New York, NY 10110  
*Attorneys for Jeffrey O. Swope*

by DHL overnight delivery by depositing a true and accurate copy of the same enclosed in a properly addressed envelope into the custody of the overnight delivery service, prior to the latest time designated by that service.

3. Counsel for Plaintiff Jeffrey O. Swope, represented in a telephone conversation with Matthew A. Katz, Esq., counsel for Defendant Fiduciary Asset Management, L.L.C., that he is authorized to accept service on behalf of Jeffrey O. Swope at the aforesaid address.

Dated: New York, New York  
August 2, 2007

  
Joannah M. Caneda

Sworn to before me this  
2<sup>nd</sup> day of August, 2007



Notary Public

**DANIEL E. SHAW**  
**Notary Public, State of New York**  
**No. 02SH6125837**  
**Qualified in New York County**  
**Commission Expires April 25, 2009**